HYCROFT MINE FACILITIES EXPANSION PROJECT

120 kV POWERLINE ROW
SPECIAL TERMS AND CONDITIONS

Cultural Resources (including Historic Trails)

The treatment plan addressing mitigation of direct and indirect impacts to the 11 eligible sites and the Memorandum of Agreement, implementing the treatment plan, will be signed by BLM, Nevada SHPO, and HRDI prior to any FONSI and subsequent DR being issued by the BLM-BRFO (State Protocol Agreement Section 5.d.2.e.1).

The field aspects of the treatment plan shall be completed before construction is allowed to proceed within 100 meters of any of the eleven sites identified as requiring data recovery or additional recording. A report describing the results of the treatment plan implementation shall be submitted to the BLM within approximately one year of completion of all aspects of the fieldwork. A bond shall be posted to ensure that funding is provided to complete the report and other products described in the treatment plan.

If the implementation of the treatment plan would require disturbance outside the Powerline Project Area, NV Energy shall conduct a sensitive plant survey prior to disturbance activities. If a sensitive plant is identified during the survey, NV Energy shall consult the BLM before conducting disturbance activities.

To avoid direct impacts to the California Trail (Segments 1 and 2) NV Energy shall utilize Tungsten Road and the Railroad Access Road during construction and maintenance activities.

Special Status Species

Based on the types of anticipated disturbance in the Powerline Project Area, a minimum of 25-foot buffer with flagging shall be placed around the special-status plant species (Tonopah milkvetch, Crosby's buckwheat, Nevada oryctes, Lahontan beardtongue, and sand cholla) detected during baseline surveys. Flagging shall be removed when no longer deemed necessary.

HYCROFT MINE FACILITIES EXPANSION PROJECT

120 kV POWERLINE ROW
APPLICANT-COMMITTED
ENVIRONMENTAL PROTECTION MEASURES

NV Energy has committed to implementing the environmental protection measures listed below, which are divided into 11 categories: General, Soil Disturbance, Blasting, Storm Water Management, Noxious Weeds, Vegetation, Water Features, Wildlife and Sensitive Species, Cultural and Paleontological Resources, Hazardous Materials and Waste, Air Quality, and Fire Prevention and Response.

1. General Measures

- The limits of the temporary work areas would be marked with staking and/or flagging. All environmentally sensitive areas, if any, would be fenced for avoidance;
- Prior to construction, all construction personnel would be instructed on the protection of sensitive biological, cultural, and paleontological resources that have the potential to occur on site;
- NV Energy would limit construction in residential areas to between daylight and dusk, seven days a week;
- All construction vehicle movement would be restricted to the ROW, pre-designated access roads, and public roads;
- Smoking would only be permitted in paved or cleared areas. All cigarettes would be thoroughly extinguished and disposed of in a trash receptacle;
- Non-specular conductors would be installed to reduce visual impacts;
- NV Energy would avoid impacts to existing ROWs; and
- All existing roads would be left in a condition equal to or better than their preconstruction condition.

2. Soil Disturbance

- In areas where significant grading would be required, topsoil (where present) would be stockpiled and segregated for later reapplication; and
- Construction would be prohibited when the soil is too wet to adequately support construction equipment.

3. Air Quality

- Driving speeds would be limited to 20 miles per hour (mph) on unpaved roads and on the ROW;

- All areas subject to ground disturbance would be watered as needed to control dust;

- Public streets would be swept if visible soil material is tracked onto them by construction vehicles; and

- Excavation and grading activities would be suspended when winds (instantaneous gusts) exceed 25 mph and visible dust that creates a health hazard to neighboring property owners and/or visibility impacts to vehicular traffic persists.

4. Storm Water Management

NV Energy would apply for a storm water permit. NV Energy would develop a Storm Water Pollution Prevention Plan (SWPPP) that incorporates BMPs, typically in the form of straw waddles, downgradient from disturbed project areas and around spoil and stock piles.

5. Water Features and Floodplains

- All construction vehicles and equipment staging or storage and all construction activities would be located at least 100 feet away from any streams, wetlands, and other water features; and

- Power poles would be located outside the ordinary high water mark for streams or rivers.

6. Vegetation

- Wherever possible, vegetation would be left in place. Where vegetation must be removed, it would be cut at ground level to preserve the root structure and allow for potential resprouting; and

- All temporary construction areas, including stringing sites and structure pads that have been disturbed, would be recontoured and restored as required by the landowner or land management agency. The method of restoration typically would consist of seeding or revegetating with native plants (if required), installing cross drains for erosion control, and placing water bars in the road. Seed would be certified as weed-free and would consist of a seed mix approved by the BLM.

7. Noxious Weeds

- Prior to preconstruction activities, qualified NV Energy personnel or a specialist would identify all noxious weeds present on the land to be included in the ROW Grant and provide this information to the BLM. A determination would be made by the BLM of any noxious weeds that require flagging for treatment. NV Energy would treat the noxious weeds as required by the BLM;

- All gravel and/or fill material would be certified as weed-free and from a BLM-approved source;

- All off-road equipment would be cleaned (power or high-pressure cleaning) of all mud, dirt, and plant parts prior to initially moving equipment onto public land. Equipment would be cleaned again if it leaves the Powerline Project site prior to reentry;

- Disturbances to areas infested with noxious weeds would be avoided to the extent possible;

- Any equipment or vehicles used in an area infested with noxious weeds would be thoroughly cleaned before they are moved to a new location using contained portable washing stations or offsite;

- As soon as work is completed, disturbed areas would be seeded with an appropriate seed mix approved by the BLM to establish ground cover by native species; and

- The Powerline Project Area would be monitored annually for three years to identify new infestations of noxious weeds within the ROW. Any new infestations would be treated using methods approved by the BLM.

8. Wildlife and Sensitive Species

- Potential habitat for sensitive species identified during the preconstruction survey would be flagged or fenced with temporary construction/snow fencing for avoidance. If avoidance is infeasible, consultation with appropriate jurisdictional agencies would be conducted prior to work in the area(s);

- Burrowing owl nest surveys would be conducted by a qualified biologist within potential breeding habitat prior to any surface disturbance proposed during burrowing owl breeding season (March 1st through August 31st). Surveys would be conducted no more than ten days and no less than three days prior to initiation of disturbance. Surveys would follow establish BLM standards and protocols and would be approved by the BLM biologist prior to being implemented. If active nests are located, NV Energy would immediately notify the BLM biologist and appropriate protection measures, which may include avoidance or restriction of activities, would be established. If no active nests are present within the survey area, implementation of the proposed disturbance would commence within ten days of survey completion;

- If pale or dark kangaroo mouse habitat is disturbed, NV Energy would reseed the disturbed areas with a BLM-approved seed mix;

- If Preble's shrew habitat is disturbed, NV Energy would reseed the disturbed area with a BLM-approved seed mix;

- To avoid impacts to the northern leopard frog, NV Energy would avoid construction in northern leopard frog habitat. If NV Energy needs to disturb northern leopard frog habitat,

NV Energy would not engage in construction activities during hibernation season (October –April) or during breeding season (April – May);

- If Rice's blue butterfly habitat is disturbed, NV Energy would reseed the disturbed areas with host plant seeds (*Eriogonum* spp. and *Oxytheca* spp.);

- In order to avoid potential impacts to breeding migratory birds, a nest survey would be conducted by a qualified biologist within potential breeding habitat prior to any surface disturbance proposed during the avian breeding season (March 1st through August 31st). Surveys would be conducted no more than ten days and no less than three days prior to initiation of surface disturbance. Surveys would follow established BLM standards and protocols and would be approved by the BLM biologist prior to being implemented. If active nests are located, the BLM biologist would be notified immediately and appropriate protection measures, which may include avoidance or restriction of activities, would be established. If no active nests are present in the area survey, implementation of the surface disturbance would commence within ten days of survey completion;

- NV Energy would follow the USFWS Migratory Bird Permit Memorandum regarding unoccupied migratory bird nest destruction (without birds or eggs) (USFWS 2013);

- If guy wires are installed within the ROW, NV Energy would install collision deterrent devices, e.g., line marker, or suitable bird diverter devices, as appropriate;

- Excavations left open overnight would be covered or fenced to prevent livestock or wildlife from falling in. All covers would be secured in place and strong enough to prevent livestock or wildlife from falling in;

- Special status plants identified during baseline surveys would be flagged prior to land disturbance activities beginning and avoided;

- If a sensitive plant or animal species is identified during construction, work near the sensitive species would be halted, and a qualified biologist familiar with the biology and species likely to be encountered in the Powerline Project Area would be consulted to determine an appropriate buffer and other protective measures. The appropriate resource agencies would be notified of the discovery within 24 hours. If avoidance is infeasible, consultation with the jurisdictional resource agency would be conducted prior to continuing work in the immediate area of the species. Any federal- or state-listed species discovered on public land would also be reported to the BLM; and

- Structures would be constructed to conform to those practices described in the Suggested Practices for Raptor Protection on Power Lines Manual: The State of the Art in 2006 developed by the Edison Electric Institute (APLIC 2006).

9. Cultural and Paleontological Resources

    - Wherever possible, NV Energy would avoid cultural resources identified as eligible for inclusion on the National Register of Historic Places (NRHP). Where avoidance is not

possible, a treatment plan would be developed through consultation between the BLM, State Historic Preservation Office (SHPO), and applicable Tribes;

- Prior to construction, NV Energy and/or its contractors would train workers and individuals involved with the Powerline Project regarding the potential to encounter historic or prehistoric sites and objects, proper procedures in the event that cultural items or human remains are encountered, prohibitions on artifact collection, and respect for Native American religious concerns. As part of this training, all construction personnel would be instructed to inspect for paleontological and cultural objects when excavating or conducting other ground-disturbing activities;

- If potential resources were found, work would be halted immediately within a minimum distance of 300 feet from the discovery, and a professional archaeologist (holding a valid Cultural Resources Permit from Nevada BLM) would be mobilized to the site to evaluate the find. Any potential resources would not be handled or moved. The professional archaeologist would then determine whether the find needs to be evaluated by a paleontologist or Native American representative. The appropriate specialist(s) would then make a determination of the significance of the find and the steps to be followed before proceeding with the activity. Any cultural and/or paleontological resource discovered during construction on public or federal land would be reported immediately to the BLM. Work would not commence until the BLM issues a notice to proceed. The BLM would notify and consult with the SHPO and appropriate Tribes on eligibility and suitable treatment options. If significant resources are discovered, they would be recovered, transported, and stored at an approved curation facility that meets the standards specified in Title 36 CFR Part 79; and

- If human remains were encountered during the Powerline Project construction, all work within 300 feet of the remains would cease, and the remains would be protected. If the remains are on land managed by the BLM, the BLM representatives would be immediately notified. If the remains are Native American, the BLM would follow the procedures set forth in 43 CFR Part 10, Native American Graves Protection and Repatriation Regulations (NAGPRA). If the remains are located on state or private land, the Nevada SHPO and the BLM would be notified immediately. Native American human remains discovered on state or private land would be treated under the provisions of the Protection of Indian Burial Sites section of the NRS in Chapter 383. The Nevada SHPO would consult with the Nevada Indian Commission and notify the appropriate Native American Tribe. Procedures for inadvertent discovery are listed under NRS 383.170.

10. Hazardous Materials and Waste

- All construction vehicles would be maintained in accordance with the manufacturers' recommendations. All vehicles would be inspected for leaks prior to entering the jobsite. All leaking material would be contained with a bucket or absorbent materials until repairs can be made;

- All hazardous waste materials would be properly labeled in accordance with Title 40 CFR Part 262. A list of hazardous materials expected to be used during construction of the Powerline Project is presented in Table 2.3-5;

- Hazardous material storage, equipment refueling, and equipment repair would be conducted at least 100 feet away from streams or other water features;

- Spilled material of any type would be cleaned up immediately. A shovel and spill kit would be maintained on site at all times to respond to spills; and

- All sanitary wastes would be collected in portable, self-contained toilets at all construction staging areas and other construction operation areas and managed in accordance with local requirements.

11. Blasting

    - At a minimum, all explosive storage facilities would be weather-resistant, fire-resistant, bullet-resistant, and theft-resistant;

    - Potential rockslide/landslide areas would be avoided to the maximum extent possible and a blasting geologist would be consulted prior to blasting in these areas;

    - Blasts would be designed to minimize ground vibrations that could cause slope instability and impacts to wells and/or springs;

    - Blasting within 500 feet of wells and/or springs would be avoided to the maximum extent possible;

    - Prior to blasting activities, all underground utilities would be located and marked to determine their location in relation to the ROW. NV Energy and/or its contractor would perform pre- and post-blast inspections of existing structures that may sustain damage due to blasting operations;

    - NV Energy and/or its contractor would take proper precautions to minimize or avoid damaging structures or utilities located within 150 feet of blasting operations. Precautions may include rippling the charge detonations further apart or reducing the amount of charge material that detonates simultaneously;

    - To prevent or minimize the amount of rock particles cast into the air following detonation, blasting mats would be used;

    - A signaling system would be used to alert individuals of an impending blast. The signaling system would include the following components:

        - A warning signal: five minutes prior to the blasting signal, a one minute series of long audible signals would be sounded at the blast site;

- A blasting signal: one minute prior to the blast, a series of short, audible signals would be sounded at the blast site;

- An all-clear signal: a prolonged, audible signal would be sounded at the blast site following the post-blast inspection of the blast area; and

- To inform construction personnel of the signaling protocol, signs explaining the protocol would be posted at the staging areas and other appropriate locations.

- If any damage to structures occurs due to blasting operations, NV Energy and/or its contractor would repair the damage as quickly as possible after becoming aware of the damage. In the event of damage to any water supply systems, NV Energy and/or its contractor would provide an alternative water source until the original water supply system was restored.

12. Fire Prevention and Response

- NV Energy would designate a Fire Marshal (NV Energy Fire Marshal), who would coordinate with the BLM's fire management representative, as necessary;

- The Fire Marshal would be responsible for the following tasks:

  - Conducting regular inspections of tools, equipment, and first aid kits for completeness;
  - Conducting regular inspections of storage areas and practices for handling flammable fuels to confirm compliance with applicable laws and regulations;
  - Posting smoking and fire rules at centrally visible locations on site;
  - Coordinating initial response to contractor-caused fires within the ROW;
  - Conducting fire inspections along the ROW;
  - Ensuring that all construction workers and subcontractors are aware of all fire protection measures;
  - Remaining on duty and on site when construction activities are in progress and during any additional periods when fire safety is an issue, or designating another individual to serve in this capacity when absent;
  - Reporting all wildfires in accordance with the notification procedures described below;
  - Initiating and implementing fire suppression activities until relieved by agency or local firefighting services in the event of a Powerline Project-related fire. Powerline Project fire suppression personnel and equipment, including water tenders, would be dispatched within 15 minutes from the time that a fire is reported; and
  - Coordinating with the NV Energy Project Manager regarding current fire conditions potential and fire safety warnings from the BLM and communicating these to the contractor's crews.

- The NV Energy's Construction Foreman or Fire Marshal would immediately notify firefighting services of any fires on site. A list of emergency fire contacts for the Powerline Project Area is presented in Table 1;

Table 1: Emergency Fire Contacts

• **CALL 911 FIRST**		
Department		**Phone Number**
BLM	**CNIDC**	(775) 623-3444 or (800) 535-6076
	(Fire Management Office)	(775) 753-0304

- Contractors would be notified to stop or reduce construction activities that pose a significant fire hazard until appropriate safeguards are taken;

- If an accidental fire occurs during construction, immediate steps to extinguish the fire (if it is manageable and safe to do so) would be taken using available fire suppression equipment and techniques. Fire suppression activities would be initiated by NV Energy and/or its contractor until relieved by agency or local firefighting services;

- Smoking would only be permitted in designated cleared areas and would be prohibited while walking or working in areas with vegetation or while operating equipment. In areas where smoking is permitted, all burning tobacco and matches would be completely extinguished and discarded in ash trays, not on the ground;

- "NO SMOKING" signage and fire rules would be posted at construction staging areas, helicopter fly yards, and key construction sites during the fire season;

- Fire suppression equipment would be present in areas where construction tools or equipment have the potential to spark a fire;

- Extra precautions would be taken when fire danger is considered to be high;

- All field personnel would be instructed regarding emergency fire response. The contractors would receive training on the following:

    - Initial fire suppression techniques;
    - Fire event reporting requirements;
    - Methods to determine if a fire is manageable;
    - Fire control measures to be implemented by field crews on site;
    - When the worksite should be evacuated;
    - How to respond to wildfires in the vicinity; and
    - How to maintain knowledge of and plans for evacuation routes.

- All flammable material, including dead vegetation, dry grasses, and snags (fallen or standing dead trees), would be cleared a minimum of ten feet from areas of equipment operation that may generate sparks or flames;

- No open burning, campfires, or barbeques would be allowed along the ROW; at construction staging areas and substations; on access roads; or in any other project-related construction areas;

- All welding or cutting of powerline structures or their component parts would be approved by the NV Energy's Construction Foreman or Administrator. Approved welding or cutting activities would only be performed in areas cleared of vegetation a minimum of ten feet around the area. Welding or cutting activities would cease one hour before all fire response personnel leave a construction area to reduce the possibility of welding activities smoldering and starting a fire. Welder vehicles would be equipped with fire suppression equipment;

- All internal combustion engines, both stationary and mobile, would be equipped with approved spark arresters that have been maintained in good working condition. Light trucks and cars with factory-installed (type) mufflers in good condition may be used on roads cleared of all vegetation with no additional equipment required. Vehicles equipped with catalytic converters are potential fire hazards and would be parked on cleared areas only;

- The use of torches, fuses, highway flares, or other warning devices with open flames would be prohibited. NV Energy and its contractors would only use electric or battery-operated warning devices on site;

- Equipment parking areas, small stationary engine sites, and gas and oil storage areas would be cleared of all extraneous flammable materials. "NO SMOKING" signs would be posted in these areas at all times;

- Fuel tanks would be grounded;

- NV Energy and the contractors would provide continuous access to roads for emergency vehicles during construction;

- All motorized vehicles and equipment would be equipped with the following fire protection items:

    - One long handled round point shovel;
    - One ax or Pulaski fire tool;
    - One five-pound ABC Dry Chemical Fire Extinguisher;
    - One five-gallon water backpack (or other approved container) full of water or other extinguishing solution; and
    - Hard hat, work gloves, and eye protection.

- Project construction worksites would include the following equipment:

- Power saws, if required for construction, equipped with an approved spark arrester and accompanied by one five-pound ABC Dry Chemical Fire Extinguisher and a long-handled, round-point shovel when used away from a vehicle;
- Fuel service trucks with one 35-pound capacity fire extinguisher charged with the necessary chemicals to control electrical and fuel fires;
- At least two long-handled, round-point shovels and two five-pound ABC Dry Chemical Fire Extinguishers at wood cutting, welding, or other construction work sites that have a high risk of starting fires;
- At least one radio and/or cellular telephone to contact fire suppression agencies or the project management team; and
- Backpumps filled with water (two at each wood-cutting site, one at each welding site, and two at each tower installation or construction site, or any activity site at risk of igniting fires).

- During periods of increased fire danger, a fire suppression vehicle would be available in the construction area or stationed near high-risk construction work sites and would be equipped with the following items:

  - One water tank with a minimum capacity of 500 gallons;
  - 250 feet of 0.75-inch heavy-duty rubber hosing;
  - One pump with a discharge capacity of at least 20 gpm. (The pump would have fuel capacity to operate for at least a two-hour period.);
  - One tool cache (for fire use only) containing at a minimum:

    - Two long handled round point shovels;
    - Two axes or Pulaski fire tools; and
    - One chainsaw of 3.5 (or more) horsepower with a cutting bar of at least 20 inches in length.

- If a fire is unmanageable, field crews would evacuate and call “911” or the district dispatch for the area (Table 1). All fires would be reported to the jurisdictional fire agency, regardless of size and action taken. The crews on site should make an honest effort to stop the fire from spreading; however, the fire should be reported immediately to CNIDC as well. The Fire Management Division of the Winnemucca BLM is still responsible for suppression of all wildland fires and maintains that jurisdiction.